HONOURABLE SMT.JUSTICE T.MEENA KUMARI

&

HONOURABLE JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO. 19324 OF 2005

Dated 20-09-2005

Between:

N. Nirmala, daughter of Ramakrishnaih, aged about 22 years, un-employee, SC(B) Woman, resident of Pochannapet, Bachannapet Mandal, Warangal District.

…….Petitioner.

And:

1 . The Government of Andhra Pradesh represented by the Principal Secretary, Education Department, Secretariat, Hyderabad and others.

…….Respondents.

ORDER : (Per the Honourable Smt. Justice T. Meena Kumari)

This writ petition has been filed by the writ petitioner against the order passed in O.A. No.1120 of 2003, dated 25-07-2005 by the A.,P. Administrative Tribunal, Hyderabad.

The writ petitioner is the applicant and the respondents herein are the respondents before the Tribunal. The parties will be referred to as arrayed before the Tribunal for the sake of convenience.

Originally, the applicant filed an application in O.A.No.1120 of 2003 seeking to allow her to participate in the ensuing Councilling to fill up the posts of S.G. Teachers Backlog vacancies for the un-trained candidates for the District Selection Committee-2002 to be held from 25-02-2003 and appoint her in the posts of S.G.

Teachers (Telugu Medium) by allotting the additional posts as was done in the case of other categories of SC (A) General, SC (A) Women and SC (C) General and some others, by allotting the additional posts without notifying the said posts in the Notification dated 10-05-2002 by declaring the action of the respondents in not allotting the additional vacancies as per the entitlement of reservation of the vacancies to the category of SC (B) Women and SC (B) General, as illegal and arbitrary. The Tribunal having observed that the applicant can not lay claim against the vacancies reserved for Physically Handicapped, dismissed the O.A. Aggrieved by the same, the applicant filed the present writ petition.

Heard both sides. We have perused the order impugned and material available on record.

The case of the applicant is that she is seeking to participate in the ensuing Councilling to fill up the posts of S.G. Teachers Backlog vacancies from the un-trained candidates for the District Selection Committee-2002 to be held from 25-02-2003 and appoint her in the posts of S.G. Teachers by allotting the additional posts as was done in the case of other categories of SC)A) General, SC(A) Women and SC(C) General and some others, by allotting the additional posts without notifying the said posts in the Notification dated 10-05-2002 by declaring the action of the respondents in not allotting the additional vacancies as per the entitlement of reservation of the vacancies to the category of SC (B) Women and SC (B) General, as illegal and arbitrary.

We have gone through the order impugned. It is an admitted fact that there is a reservation policy for the physical handicapped candidates fulfilling the required qualifications. A perusal of the material available on record goes to show that 70 posts in question are particularly reserved for the physical handicapped. If that being the case, the respondents are bound to fill up the remaining 1344 vacancies with General Candidates, including the candidates under rule of Special Representation for SCs, STs and Backward Classes and therefore, the applicant can not lay claim against the vacancies reserved for Physically Handicapped as rightly observed by the tribunal. Hence, the order of the Tribunal does not warrant any interference by this Court and we see no merit in this writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed, at the admission stage. No costs.

_____

Justice T. MEENA KUMARI

Date: 20th September, 2005

_____

Justice P. LAKSHMANA REDDY

Dvs/nn

HONOURABLE SMT. JUSTICE T. MEENA KUMARI

&

HONOURABLE JUSTICE P. LAKSHMANA REDDY

WRIT PETITION NO. 19324 OF 2005

(Order delivered by the Honourable

Smt. Justice T.Meena Kumari)

Dated 20-09-2005